

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BRIAN BEMKE, SCOTT COLLETT, JOHN
FERIOZZI, JUDY FINTZ, SARAH
JAMIESON, EVAN JOHNSON, TRACY
LONG, and CLIFFORD NEUMANN

Plaintiffs,

v.

Case No. 21-cv-560

AMY PECHACEK, in her official capacity as
Secretary-designee of the State of Wisconsin
Department of Workforce Development

Defendant.

DECLARATION OF JOHN FERIOZZI

I, John Feriozzi, under penalty of perjury declare as follows:

1. I am a machinist. In the late 1970s, a 1200 lb steel plate fell on me, severely injuring my spine and neck, even after numerous surgeries.
2. I have been receiving SSDI (Social Security Disability Insurance) benefits since approximately December 2014.
3. In 2015 and 2016, I was enrolled in retraining programs through support from the state's Division of Vocational Rehabilitation. While enrolled in this training, I also served as a tool and die tutor for other students.
4. In 2019, I worked from late January 2019 to late February 2019, late Sept. 2019 to mid-Oct. 2019, and mid-Oct. 2019 to early Nov. 2019. As a result, I was off work for more than 26 weeks in 2019 and was eligible for the maximum number of weeks possible for receiving unemployment benefits in that year.

5. In March 2020, I was working part-time when I and many part-time co-workers were laid off because of a lack of work arising from the pandemic.
6. During the week ending 8/8/2020, I found a full-time job but had to quit after about a week of work because the job was too physically demanding for me.
7. Less than a week later, I found a part-time job, but quit after three days because I could not physically do the work.
8. In September 2020, I started a third job — full-time — and was there seven weeks before being let go by the employer because I was not what the company was looking for.
9. In late November 2020, I began working a full-time job of around 45 hours a week.
10. I filed initial claims for regular unemployment benefits.
11. In a decision dated 9/13/21, I was denied receiving unemployment benefits because I received SSDI benefits.

Dated this 9th day of August, 2022.

s/ John Feriozzi

John Feriozzi